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29 June 1981

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#480-AGEE\*\*\*URGENT

#BY NEIL LEWIS

WASHINGTON, JUNE 29, REUTER -- THE SUPREME COURT TODAY RULED THE U.S. GOVERNMENT HAS THE POWER TO REVOKE THE PASSPORT OF PHILIP AGEE, A FORMER CIA AGENT WHO HAS BEEN EXPOSING THE IDENTITIES OF OTHER AMERICAN AGENTS WORKING ABROAD.

BY A 7 TO 2 VOTE THE COURT SAID IT WAS LEGAL FOR THE SECRETARY OF STATE TO WITHDRAW THE PASSPORT OF MR AGEE, WHO HAS BEEN WORKING TO EXPOSE THE IDENTITIES OF CENTRAL INTELLIGENCE AGENCY OPERATIVES OR INFORMANTS SINCE 1974.

THE COURT SAID IN AN OPINION WRITTEN BY CHIEF JUSTICE WARREN BURGER THAT: "WHEN THERE IS A SUBSTANTIAL LIKELIHOOD OF 'SERIOUS DAMAGE' TO NATIONAL SECURITY OR FOREIGN POLICY AS A RESULT OF A PASSPORT HOLDER'S ACTIVITIES IN FOREIGN COUNTRIES, THE GOVERNMENT MAY TAKE ACTION TO ENSURE THAT THE HOLDER MAY NOT EXPLOIT THE SPONSORSHIP OF HIS TRAVELS BY THE UNITED STATES."\*

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MR AGEE, WHO WAS A CIA AGENT FROM 1957 TO 1968, NOW LIVES IN WEST GERMANY. THE REVOCATION OF HIS PASSPORT MEANS HE WOULD BE UNABLE TO TRAVEL TO ANY OTHER NATIONS AND COULD RETURN ONLY TO THE UNITED STATES.

THE COURT ACCEPTED THE GOVERNMENT'S ARGUMENT THAT MR AGEE'S CUSTOM WAS TO TRAVEL TO VARIOUS COUNTRIES AND EXPOSE THE NAMES OF LOCAL CIA UNDERCOVER AGENTS, RENDERING THEM INEFFECTIVE, AND EXPOSING THEM TO DANGER.

THE COURT SAID: "IN 1974 AGEE CALLED A PRESS CONFERENCE IN LONDON TO ANNOUNCE HIS 'CAMPAIGN TO FIGHT THE UNITED STATES CIA WHEREVER IT IS OPERATING'."

THE COURT SAID AGEE ON HIS TRAVELS TO DIFFERENT COUNTRIES CONSULTED "SOURCES IN LOCAL DIPLOMATIC CIRCLES WHOM HE KNOWS FROM HIS (CIA) SERVICE . . . .

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